

Message Text

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ACTION EUR-08

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LIMDIS

E.O. 11652: XGDS-3

TAGS: PDIP, PL, UK, US

SUBJECT: TEMPORARY DETAINMENT OF EMBASSY AIR ATTACHE

1. SUMMARY. THE EMBASSY'S AIR ATTACHE WAS STOPPED AND DETAINED ON JULY 28 BY MEMBERS OF THE POLISH ARMED FORCES WHILE TRAVELING IN AN AREA OPEN TO THE GENERAL PUBLIC. WE PROPOSE TO DELIVER A PROTEST NOTE TO THE MINISTRY OF FOREIGN AFFAIRS. END SUMMARY.

2. ON A TOUR IN THE NORTHWEST PART OF POLAND, THE EMBASSY'S AIR ATTACHE, LT.COL. LEONARD A. ZALEWSKI, AND A BRITISH NCO, SSGT. BRIAN NEARY WERE DETAINED ON JULY 28 FOR TWO HOURS AND FORTY-FIVE MINUTES BY A CONTINGENT OF POLISH SOLDIERS NEAR THE VILLAGE OF CZARNA DABROWA. THEY WERE DRIVING AN OFFICIAL VEHICLE WITH A POLISH REGISTRATION AND LICENSE PLATES AND CD MARKINGS. WHEN STOPPED THEY WERE ON A PUBLIC ROAD WITH NO INDICATION BY SIGNS, BARRICADES OR POSTED SENTRIES THAT THE AREA WAS IN ANY WAY RESTRICTED OR WAS A MILITARY TRAINING GROUND.

3. AS ZALEWSKI AND NEARY APPROACHED THE VILLAGE OF CZARNA DABROWA, A SOLDIER STANDING ON THE SIDE OF THE ROAD SIGNALLED THEM TO HALT. ZALEWSKI AND NEARY DID NOT STOP AND PROCEEDED ON FOR ANOTHER 100 YARDS,
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WHEN AN ARMED SOLDIER WITH AN UNSLUNG AK-47 ASSAULT RIFLE

STEPPED OUT ONTO THE ROAD AND FORCED THEM TO STOP. THEY WERE DETAINED BY FIVE ARMED GUARDS FOR 2-3/4 HOURS UNTIL A POLISH LT. COLONEL APPEARED AND RELEASED THEM. THEY DEPARTED UNESCORTED. THE CIVILIAN POLICE NEVER APPEARED ON THE SCENE EVEN THOUGH THEIR PRESENCE WAS REPEATEDLY REQUESTED BY THE AIR ATTACHE.

4. WHEN HALTED, ZALEWSKI STATED THAT HE HAD NOT STOPPED ON THE SIGNAL FROM THE FIRST SOLDIER BECAUSE THE ROAD WAS A PUBLIC ACCESS ROAD TO CZARNA DABROWA AND WAS NOT POSTED IN ANY MANNER INDICATING THAT IT WAS A MILITARY TRAINING AREA WHERE MEMBERS OF THE POLISH MILITARY HAD AUTHORITY TO RESTRICT HIS TRAVEL. ZALEWSKI ADDED THAT ONLY A MEMBER OF THE CIVILIAN MILITIA HAD THE AUTHORITY TO STOP A DIPLOMATIC VEHICLE ON A PUBLIC ROAD THAT IS UNRESTRICTED. (COMMENT: THIS HAS BEEN ACCEPTED POLICY BY BOTH POLISH AUTHORITIES AND NATO MILITARY ATTACHES FOR MANY YEARS. END COMMENT). WHEN A POLISH OFFICER DEMANDED ZALEWSKI'S IDENTIFICATION CARD, ZALEWSKI SHOWED IT TO HIM AND STATED FURTHER THAT ONLY A MEMBER OF THE MILITIA HAD THE AUTHORITY TO TAKE IT FROM HIM. THE POLISH OFFICER COULD LOOK AT IT AND RECORD ANY INFORMATION HE DESIRED, BUT NOT TAKE IT. COL. ZALEWSKI FURTHER ADVISED THE POLISH OFFICER THAT "AS DIPLOMATS WE ARE NOT TO BE DETAINED ANY LONGER THAN FIVE MINUTES FOR A DOCUMENT CHECK". THE POLISH OFFICER MADE NO RESPONSE, BUT INSTEAD PLACED AN ARMED GUARD OF FIVE SOLDIERS AROUND COL. ZALEWSKI'S VEHICLE FOR THE 2-3/4 HOURS IT WAS DETAINED.

4. COMMENT: WHILE NOT A MAJOR INCIDENT, WE DO NOT FEEL IT ADVISABLE TO LET THIS EVENT PASS WITHOUT NOTICE BEING GIVEN TO THE POLISH GOVERNMENT THAT WE REGARD IT AS INTERFERENCE WITH THE MOVEMENT OF OUR DIPLOMATIC PERSONNEL BY MEMBERS OF THE POLISH ARMED FORCES IN AREAS NOT RESTRICTED TO THE GENERAL PUBLIC. THE BRITISH EMBASSY IN WARSAW IS OF THE SAME OPINION. A PROPOSED DRAFT NOTE TO THE POLISH MINISTRY OF FOREIGN AFFAIRS (BELOW) HAS BEEN COORDINATED WITH THE BRITISH EMBASSY, WHICH IS SEEKING AUTHORITY FROM THE FOREIGN OFFICE TO PRESENT A SIMILAR CONFIDENTIAL

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NOTE TO THE MFA.

5. ACTION RECOMMENDATION: WE RECOMMEND THAT THE DEPARTMENT AUTHORIZE US TO PRESENT THE FOLLOWING NOTE TO THE POLISH MINISTRY OF FOREIGN AFFAIRS AS SOON AS POSSIBLE.

6. BEGIN QUOTE: THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO THE MINISTRY OF

FOREIGN AFFAIRS OF THE POLISH PEOPLE'S REPUBLIC AND HAS THE HONOR TO BRING TO THE MINISTRY'S ATTENTION THE FOLLOWING OCCURRENCE.

WHILE DRIVING AN OFFICIAL VEHICLE ON A PUBLIC ROAD THROUGH A PUBLIC RECREATION AREA, THE EMBASSY'S AIR ATTACHE, LIEUTENANT COLONEL LEONARD A. ZALEWSKI, ACCOMPANIED BY A MEMBER OF THE BRITISH EMBASSY, WAS INCORRECTLY STOPPED ON JULY 28, 1976 BY A MEMBER OF THE POLISH ARMED FORCES AND DETAINED FOR OVER TWO HOURS BY SOLDIERS OF THE POLISH ARMED FORCES WHO, AT THE TIME THE VEHICLE WAS STOPPED, WERE NOT WEARING ANY SPECIAL IDENTIFICATION INDICATING, FOR EXAMPLE, THAT THEY WERE MEMBERS OF THE MILITARY POLICE. THIS WAS DONE IN SPITE OF THE FACT THAT LIEUTENANT COLONEL ZALEWSKI CORRECTLY IDENTIFIED HIMSELF AS AN ACCREDITED MEMBER OF THIS MISSION AND WAS DRIVING A VEHICLE CLEARLY MARKED WITH DIPLOMATIC PLATES. THE AREA IN WHICH LIEUTENANT COLONEL ZALEWSKI WAS HALTED AND DETAINED IS A PUBLIC RECREATION AREA CONTAINING CAMPING SITES AND PARKING LOTS. THERE WERE NUMEROUS CAMPER'S AND OTHER CIVILIANS OF BOTH SEXES AND VARIOUS AGES IN THE VICINITY. THERE WERE NO SIGNS THAT THE AREA WAS CLOSED TO THE PUBLIC FOR ANY REASON. THERE WERE NO MARKERS, BARRICADES OR SENTRIES INDICATING THAT THE AREA WAS RESTRICTED IN ANY MANNER. THE ROAD ON WHICH LIEUTENANT COLONEL ZALEWSKI WAS STOPPED AND DETAINED IS AN ACCESS ROAD OFF ROUTE 294 BETWEEN STUDZIEWICE AND POLCZNO, LEADING TO CZARNA DABROWA. THE OFFICER WHO HALTED LIEUTANT COLONEL ZALEWSKI WAS NOT IN THE COMPANY OF A MEMBER OF THE PEOPLE'S MILITIA. AT NO TIME DURING THEIR LONG PERIOD OF DETAINMENT DID LIEUTENANT COLONEL ZALEWSKI OR HIS COMPANION SEE OR HAVE THE OPPORTUNITY TO TALK TO A MEMBER OF THE PEOPLE'S MILITIA

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IN CALLING THE ATTENTION OF THE MINISTRY OF FOREIGN AFFAIRS OF THE POLISH PEOPLE'S REPUBLIC TO THIS OCCURRENCE, THE EMBASSY OF THE UNITED STATES OF AMERICA WOULD APPRECIATE CONFIRMATION FROM THE MINISTRY OF FOREIGN AFFAIRS THAT MEMBERS OF THIS MISSION ACCREDITED TO THE GOVERNMENT OF THE POLISH PEOPLE'S REPUBLIC ARE NOT SUBJECT TO THE AUTHORITY OF THE POLISH ARMED FORCES WHEN DRIVING ON PUBLIC ROADS OR PHYSICALLY PRESENT IN AREAS NOT CLOSED TO THE GENERAL PUBLIC.

THE EMBASSY OF THE UNITED STATES OF AMERICA AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE MINISTRY OF FOREIGN AFFAIRS THE ASSURANCES OF ITS HIGH CONSIDERATION.
END QUOTE.

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